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REMARKS

Claims 1, 2, 5, 8, 11 and 14-42 are pending in the present application and all claims are rejected. Applicants will address each of the pending matters in the order in which they appear in the Office Action of May 12, 2004.

Rejection of Claims 1, 2, 5, 8, 11 and 14-42 under 35 U.S.C. § 112, Second Paragraph

Claims 1, 2, 5, 8, 11 and 14-42 have been rejected under 35 U.S.C. § 112, second paragraph, due to the inclusion of the substituent chain "-X-Y-Z-G" in both the generic structure of Claim 1 and in the ring moieties defining "A" in Claims 1, 2, 5, 8, 11, 14, 15 and 16.

By amendment herein Applicants have removed the "-X-Y-Z-G" chains from the ring moieties defining "A" in Claims 1, 2, 5, 8, 11, 14, 15 and 16. In view of these amendments, Applicants respectfully ask that the rejection of Claims 1, 2, 5, 8, 11 and 14-42 under 35 U.S.C. § 112, second paragraph, be withdrawn.

Obviousness-type Double Patenting Rejection of Claims 1, 2, 5, 8, 11 and 14-41

Claims 1, 2, 5, 8, 11 and 14-41 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting over the claims of co-pending applications U.S. Serial Nos. 10/423,671 and 10/423,779. The Office Action of May 12, 2004 asks for clarification of the distinction between these applications. The Office Action is correct in noting the present application and the two co-pending applications overlap in the inclusion of directly bound heterocyclyl and heteroaryl groups in the definition of R¹⁵.

The inventions of U.S. Serial Nos. 10/423,671 and 10/423,779 include compounds in which the terminal R¹⁵ group is a directly bound cycloalkyl or heterocyclyl group and U.S. Serial No. 10/423,671 further includes directly bound aryl and heteroaryl moieties at R¹⁵. The pending claims of the present invention included compounds in

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which the terminal R¹⁵ group is (C₁-C₁₀)heteroaryl and R¹⁸, wherein R¹⁸ includes (C₆-C₁₀)aryl, (C₃-C₈)cycloalkyl and (C₁-C₁₀)heterocyclyl groups.

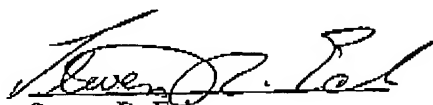
Applicants have amended Claim 1 to remove the "(C₁-C₁₀)heteroaryl" and "R¹⁸" groups from the definition of R¹⁵. In view of these amendments, Applicants respectfully ask that the provisional rejection of Claims 1, 2, 5, 8, 11 and 14-41 under the judicially created doctrine of obviousness-type double patenting be withdrawn.

In view of the foregoing comments and amendments, Applicants believe the present application is now in condition for allowance. A decision to that effect is respectfully solicited.

Respectfully submitted,

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